

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

EZEKIEL GAMBLE, JR.,)	
)	
Plaintiff,)	
v.)	
)	CIVIL ACTION NO. 5:15-CV-113 (MTT)
Warden BRUCE CHATMAN, et al.,)	
)	
Defendants.)	
)	

ORDER

United States Magistrate Judge Stephen Hyles recommends denying the Plaintiff's motion to "terminate involuntary medication" (Doc. 26). (Doc. 32). The Plaintiff has not objected to the Recommendation. The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. Accordingly, the Plaintiff's motion (Doc. 26) is **DENIED**.

The Plaintiff has filed several other motions which are presently pending before the Court, including the Plaintiff's third motion to amend his complaint (Doc. 33), a second motion to forward exhibits (Doc. 34), and a proposed amended complaint (Doc. 35). The Defendants filed a response in opposition to the third amended complaint, contending that the Plaintiff unduly delayed in alleging the proposed claims. (Doc. 37). Thereafter, the Plaintiff filed a motion to withdraw the motion to amend (Doc. 39) and a motion to withdraw the proposed amended complaint (Doc. 43), stating that he believed the changes would cause too much trouble. However, in the first motion to withdraw, and in a subsequently filed third motion to forward exhibits (Doc. 40), the Plaintiff

requests that the Court consider those exhibits attached to the third amended complaint as part of the record. The Court will consider all evidence in the record when ruling on the pending motion for summary judgment. Thus, the Plaintiff's motions to withdraw and third motion to forward exhibits are hereby **GRANTED**, and his second motion to forward exhibits is terminated as moot.

The Plaintiff also filed a motion to forward complaint (Doc. 42), seeking to inform the Defendants that "Exhibit A" referenced in their response in opposition to the third amended complaint (Doc. 37) was not properly attached. The Plaintiff does not need to file communications between himself and the Defendants and thus the motion to forward complaint is terminated.

Finally, the Plaintiff filed a motion to forgo swearing (Doc. 46) and a motion to correct a word in the motion to forgo swearing (Doc. 44), requesting that the Court accept the Plaintiff's statements without requiring the Plaintiff to "swear to God." There is no rule or statute that requires the Plaintiff to "swear to God" when filing with the Court. The Plaintiff's motions are thus **DENIED**. However, a party must sign all filings as required by Federal Rule of Civil Procedure 11(a). By signing a pleading or motion, the Plaintiff certifies that the filing is not being presented for an improper purpose, that the legal contentions are warranted by existing law, and that the factual contentions are or are likely to be supported by evidence. Fed. R. Civ. P. 11(b). The Plaintiff is warned that he can be sanctioned under Federal Rule of Civil Procedure 11(c) if he violates Rule 11(b). Furthermore, the Plaintiff is reminded that when opposing the Defendants' motion for summary judgment, he must respond by filing affidavits, depositions, or other materials to persuade the Court that the case must be presented to a jury for resolution.

Fed. R. Civ. P. 56(c); *Celotex Corp. v. Catrett*, 477 U.S. 317, 324 (1986). The Plaintiff need not “swear to God” to support such affidavits, he may instead swear on penalty of perjury that his submissions are true to the best of his knowledge.

Therefore, the Plaintiff’s motions to withdraw (Docs. 39, 43) the third motion to amend and the proposed amended complaint are **GRANTED**. The Plaintiff’s motion to amend (Doc. 33), second motion to forward exhibits (Doc. 34), and motion to forward complaint (Doc. 42) are **terminated as moot**. Finally, the Plaintiff’s third motion to forward exhibits (Doc. 40) is **GRANTED**, and his motions to forgo swearing (Doc. 46) and to correct a word in the motion to forgo swearing (Doc. 44) are **DENIED**.

SO ORDERED, this 4th day of April, 2016.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT